



PATENT
Attorney Docket No. A-62629/RFT/RMS/SPL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kayyem, *et al.*

Serial No.: 08/541,191

Filed: October 11, 1995

For: Cell-Specific Gene Delivery Vehicles

Examiner: D. Jones

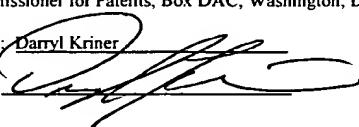
Art Unit: 1619

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DATE OF DEPOSIT: July 12, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Box DAC, Washington, DC 20231

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**TERMINAL DISCLAIMER
TO OBVIATE A DOUBLE PATENTING REJECTION**

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

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Sir:

Applicant hereby files a Terminal Disclaimer in the above captioned patent application to obviate a double patenting rejection. Enclosed is a check that includes the amount of \$55.00 to cover the requisite fee. Please charge any additional fees, including extension fees, or credit overpayments, to Deposit Account No. 06-1300 (Order No. A-62629/RFT/RMS/ SPL).

California Institute of Technology represents that it is the assignee of the entire right, title and interest of:

- 1) U.S. Patent Application Serial No. 08/541,191 filed 11 October 1995; and
- 2) U.S. Patent No. 6,232,295, issued 15 May 2001.

Written proof of such assignment vested in California Institute of Technology for U.S. Patent Application Serial No. 08/321,552, filed 12 October 1994, issued 15 May 2001 as Patent No. 6,232,295 is recorded in the United States Patent and Trademark Office at Reel/Frame 7307/0752. A copy of this recorded assignment is enclosed. Written proof of such assignment vested in California Institute of Technology For U.S. Patent Application Serial No. 08/541,191 is recorded in the U.S. Patent & Trademark Office at Reel/Frame 7798/0604. A copy of this recorded assignment is enclosed.

California Institute of Technology hereby disclaims that terminal portion of any patent granted on said Serial Number 08/541,191 that would extend beyond the expiration date of U.S. Patent No.6,232,295, and hereby warrants that any patent so granted on said Serial Number 08/541,191 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No. 6,232,295, this disclaimer to run with any patent granted on said Serial No. 08/541,191 and to be binding upon the grantee/assignee, its successors or assigns.

The undersigned attorney of record has reviewed the evidentiary documents referred to in the present Terminal Disclaimer in the chain of title of the present application and patent identified above, and it is certified that, to the best of assignee's knowledge and belief, title is in the assignee California Institute of Technology identified above.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and § 173, of U.S. Patent No. 6,232,295, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is empowered to act on behalf of and as an attorney of record of present application Serial No. 08/541,191, as evidenced by the enclosed Power of Attorney By Assignee. This paper is filed under 37 C.F.R. section 1.34(a).

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: 7/12/02

1085282

Robin M. Silva
Robin M. Silva
Reg. No. 38,304